

The Senate Natural Resources and the Environment Committee offered the following substitute to HB 367:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to state parks and recreational areas generally, so as to provide for permits for the construction and maintenance of boat shelters on High Falls Lake; to provide for a transition period; to provide for a fee; to provide for inspections; to amend Article 4 of Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to halls of fame, so as to abolish the Georgia Golf Hall of Fame; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to state parks and recreational areas generally, is amended by revising Code Section 12-3-34, relating to permits for construction, maintenance, and use of boat docks on High Falls Lake, as follows:

"12-3-34.

(a) The Department of Natural Resources is authorized to issue revocable permits for the construction, maintenance, and use of boat docks and boat shelters on High Falls Lake by the owners or lessees of private property abutting the high-water mark of such lake. Such permits shall constitute limited revocable licenses. Such permits shall be issued for periods of three years from the date of issuance and shall be transferable; provided, however, that in order to stagger the renewal periods, the department is authorized to issue permits of one- or two-year duration with the fee prorated appropriately. The fee for such permit for each three-year period shall be fixed by rule or regulation of the Board of Natural Resources in a reasonable amount not to exceed ~~\$50.00~~ \$75.00 for boat docks and \$75.00 for boat shelters. The fees collected for such permits shall be miscellaneous funds for purposes of use by the Department of Natural Resources pursuant to Code Section 12-3-2.

(b) No person shall construct or maintain a boat dock or boat shelter below the high-water mark of High Falls Lake without a valid permit from the Department of Natural Resources. It shall be the duty of the owner of any boat dock or boat shelter on High Falls Lake to keep such dock or shelter in good repair. All such boat docks and boat shelters shall conform to standards for construction, design, maintenance, and repair specified in rules and regulations of the department and restrictions or conditions in the permit. It shall be the duty of the owner of such boat dock or boat shelter to remove any such dock or shelter which is not in compliance with such rules and regulations or permit.

(c) It shall be the duty of the owner of any boat dock or boat shelter or the holder of any permit issued under this Code section to notify the department when he or she sells or otherwise transfers the property for which the boat dock or boat shelter is permitted.

(d) The department and any official or employee thereof is authorized to inspect any boat dock or boat shelter on High Falls Lake and to remove or cause to be removed any such dock or shelter for which a permit is not in effect or which violates the standards for construction, design, maintenance, and repair or the permit conditions imposed by the department.

~~(e) This Code section shall not affect the validity of any permit in effect on March 1, 1993, and the owners of docks for which such permits are in effect on March 1, 1993, may maintain such docks and enjoy the use thereof for the remainder of the period for which such permits were issued, subject to the terms and conditions thereof.~~

~~(f)~~(e) The Board of Natural Resources is authorized to adopt rules and regulations necessary or convenient to carry out this Code section and is authorized to impose reasonable terms and conditions on the granting of permits and the construction of boat docks and boat shelters on High Falls Lake by the owners or lessees of private property abutting the high-water mark of such lake.

~~(g)~~(f) Any permit may be revoked by the department for any violation of this Code section, any rule or regulation of the Board of Natural Resources, or any condition contained in such permit."

SECTION 2.

Article 4 of Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to halls of fame, is amended by revising Part 2, relating to the Georgia Golf Hall of Fame, as follows:

"Part 2

~~50-12-64.~~

~~(a) There is created the Georgia Golf Hall of Fame which shall be governed by the Georgia Golf Hall of Fame Board.~~

~~(b) The board is assigned to the Department of Economic Development for administrative purposes only, as specified in Code Section 50-4-3.~~

~~50-12-65.~~

~~The board shall be composed of 15 members. Nine members shall be appointed by the Governor, three members shall be appointed by the Lieutenant Governor, and three members shall be appointed by the Speaker of the House of Representatives. All members shall be appointed for terms of six years. The Governor, the Lieutenant Governor, and the Speaker of the House of Representatives shall consider different areas of the state when making appointments to the board. The board shall elect a chairperson, a vice chairperson, and such other officers as it deems advisable from its own membership. The members shall receive no compensation for their services but shall be reimbursed for expenses incurred in attending meetings of the board. The board is authorized to employ such personnel as it deems necessary to enable it to carry out its duties and functions; however, such employees shall not be subject to the state merit system of employment and employment administration. The board shall meet once each quarter and at such other times as the board deems necessary but not more than eight times annually. A majority of the members shall constitute a quorum for the transaction of business.~~

~~50-12-66.~~

~~It shall be the main purpose and function of the board to honor those, living or dead, who by achievement or service have made outstanding and lasting contributions to the sport of golf in this state or elsewhere. The board is authorized to conduct surveys and polls and to appoint committees to assist it in performing its purpose and function.~~

~~50-12-67.~~

~~The headquarters of the board shall be located in Augusta, Richmond County, Georgia. The board may obtain such halls, rooms, quarters, and offices as it deems necessary for conducting its affairs. The board shall provide a portion of any such space as it shall deem necessary for the display of busts, statues, plaques, books, papers, pictures, and other exhibits and material relating to sports, athletics, and athletes. In addition, the board is~~

~~authorized to recognize and designate any existing or proposed facility as a part of the hall of fame as may be appropriate.~~

~~50-12-68.~~

~~(a) The board is authorized to solicit and accept donations, contributions, and gifts of money and property to enable it to carry out its function and purpose. The donations, contributions, and gifts shall be exempt from all taxation in this state. The General Assembly is authorized to appropriate funds to the board.~~

~~(b) The board is authorized to make such contracts, leases, or agreements as may be necessary and convenient to carry out the duties and purposes for which the board is created. The board is authorized to enter into contracts, leases, or agreements with any person, firm, or corporation, public or private, upon such terms and for such purposes as may be deemed advisable by the board.~~

~~50-12-69.~~

~~The applicable statutes of this state, whether now or hereafter in effect, relating to the powers of nonprofit corporations and to meetings and actions of the board of directors of nonprofit corporations shall apply to the Georgia Golf Hall of Fame Board.~~

~~50-12-69.1.~~

~~The Georgia Golf Hall of Fame Board shall be authorized to apply for federal tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code of 1986, as amended. Reserved."~~

SECTION 3.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.